

07-702-CD
Raymond Hazel vs Cathy Keith

Raymond Hazel vs Cathy Keith
2007-702-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Raymond Hazel:
Plaintiff/Appellee :
vs. :
Cathy Keith :
Defendant/Appellant :

No. *07-702-CD*

PETITION TO PROCEED IN FORMA PAUPERIS

TO THE PROTHONOTARY:

The Petition of *Cathy Keith* respectfully represents:

1. I am the Defendant/Appellant in the above matter and because of my financial condition am unable to pay the fees and costs of prosecuting or defending the action or proceeding.
2. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.
3. I represent that the information below relating to my ability to pay the fees and costs is true and correct:

(a) Name:

Address:

Soc. Sec. No.:

(b) Employment--If you are presently employed, state

Employer:

Address:

Salary or wages per month:

FILED No cc.
0/12:47um
MAY 03 2007

William A. Shaw
Prothonotary/Clerk of Courts

Original upstairs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

Raymond Hazel:
Plaintiff/Appellee
vs. Cathy Keith
Defendant/Appellant

No. 07-702-CD

PETITION TO PROCEED IN FORMA PAUPERIS

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(a) Name:

Address:

Soc. Sec. No.:

(b) Employment--If you are presently employed, state

Employer:

Address:

Salary or wages per month:

FILED NO CC.
0/12:47um
MAY 03 2007

William A. Shaw
Prothonotary/Clerk of Courts

Type of work: Sales Clerk

Things Remembered
Wittany Mall
State College, Pa.

--If you are presently unemployed, state

Date of last employment: Still

Salary or wages per month: \$6.65 hour \$30 a week or less lately hours.

Type of work: Retail

(c) Other income within the past twelve months

Business or profession: ☐

Other self-employment: ☐

Interest: ☐

Dividends: ☐

Pension and annuities: ☐

Social security benefits: ☐

Support payments: ☐

Disability payments: ☐

Workman's compensation: \$2,420.00 rough amount

Public assistance: fire's \$350.00, Food stamps \$60.00, clothing \$150.00
for job for to get job

Other:

(d) Other contributions to household support

Spouse's Name: NA

If your spouse is employed, state

Employer:

Salary or wages per month:

Type of work:

Contributions from child(ren):

Contributions from parents:

Other contributions:

(e) Property owned

Cash:

Checking account: \$176.00

Savings account: NA

Certificates of deposit: NA

Real estate (including home): NA

Motor vehicle: Make: Cougar ; Year: 2000

Cost: \$10,000.00 ; Amount owed: nothing
_{was}

Stocks: NA Bonds: NA

Other: NA

(f) Debts and obligations

Mortgage: NA

Rent:

Loans: NA

Other:

Electric NA

Water NA

Telephone \$31.50 month

Cable NA

Credit cards NA

Auto Insurance \$97.51 A month

Gasoline \$80.00 month

Food

(g) Persons dependent upon you for support

Spouse's Name:

Child(ren), if any:

Name(s) and age(s):

Other persons: Name:

Relationship:

4. I understand that I have a continuing obligation to inform the court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

5. I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Date

Petitioner

Home Budget, Monthly

Summary

	Actual	Budgeted	Over/Under	Notes
Total income	\$550.00	\$550.00	at budget	rough amount
Total expenses	\$626.51	\$606.51	20.00 over	
Income less expenses	(\$76.51)	(\$56.51)	20.00 under	

Income

	Actual	Budgeted	Over/Under	Notes
Salary 1	\$0.00	\$0.00	at budget	
Salary 2	\$0.00	\$0.00	at budget	
Investment	\$0.00	\$0.00	at budget	
Stocks and bonds	\$0.00	\$0.00	at budget	
Other	\$0.00	\$0.00	at budget	
Total income	\$0.00	\$0.00		

Expenses

Withholdings	Actual	Budgeted	Over/Under	Notes
Federal income tax			at budget	
State income tax			at budget	
FICA			at budget	
Medical	\$0.00	\$0.00	at budget	
Dental	\$0.00	\$0.00	at budget	
Other	\$0.00	\$0.00	at budget	
Total withholdings	\$0.00	\$0.00		
Percent of expenses				

Finance Payments	Actual	Budgeted	Over/Under	Notes
Credit card 1	\$0.00	\$0.00	at budget	
Credit card 2	\$0.00	\$0.00	at budget	
Credit card 3	\$0.00	\$0.00	at budget	
Credit card 4	\$0.00	\$0.00	at budget	
Student loan	\$0.00	\$0.00	at budget	
Auto loan	\$0.00	\$0.00	at budget	
Home mortgage	\$0.00	\$0.00	at budget	
Personal loan	\$0.00	\$0.00	at budget	
Total finance payments	\$0.00	\$0.00		
Percent of expenses				

Fixed Expenses	Actual	Budgeted	Over/Under	Notes
Property taxes	\$0.00	\$0.00	at budget	
Other taxes	\$0.00	\$0.00	at budget	
Charitable donations	\$20.00	\$0.00	20.00 over	spca
Auto insurance	\$97.51	\$97.51	at budget	every month
Home insurance	\$0.00	\$0.00	at budget	
Life insurance	\$0.00	\$0.00	at budget	
Medical insurance	\$0.00	\$0.00	at budget	
Cable TV	\$0.00	\$0.00	at budget	
Telephone	\$31.00	\$31.00	at budget	internet
Utilities	\$40.00	\$40.00	at budget	min. for cell phone
Total fixed expenses	\$188.51	\$168.51	20.00 over	
Percent of expenses	\$0.30	\$0.28		

Variable Expenses	Actual	Budgeted	Over/Under	Notes
Household	\$40.00	\$40.00	at budget	personal needs
Groceries	\$132.00	\$132.00	at budget	a month
Auto upkeep and gas	\$20.00	\$20.00	at budget	a week
Other travel expenses	\$0.00	\$0.00	at budget	
Furniture	\$0.00	\$0.00	at budget	
Clothing	\$176.00	\$176.00	at budget	work only year
School	\$0.00	\$0.00	at budget	night school free
Medical/prescriptions	\$0.00	\$0.00	at budget	get free care
Entertainment	\$0.00	\$0.00	at budget	
Memberships	\$0.00	\$0.00	at budget	
Dining out	\$0.00	\$0.00	at budget	
Gifts	\$0.00	\$0.00	at budget	
Vacation	\$0.00	\$0.00	at budget	
Pet care	\$40.00	\$40.00	at budget	food/dog license's
Other	\$30.00	\$30.00	at budget	changes for car 3 times a ye
Total variable expenses	\$438.00	\$438.00	at budget	
Percent of expenses	\$0.70	\$0.72		

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION--LAW

Raymond Hazel :

Plaintiff/Appellee :

v. :

Cathy Keith :

Defendant/Appellant :

No. 07-702-CD

ORDER

AND NOW, this 7 day of May, 2007, upon consideration of the Petition of Defendant/Appellant to Proceed In Forma Pauperis, it is hereby ORDERED and DECREED that

~~the Defendant/Appellant, Cathy L. Keith, may file the Notice of Appeal in forma~~

~~pauperis and proceed to the termination of proceedings without payment of filing fees or costs. FJA~~

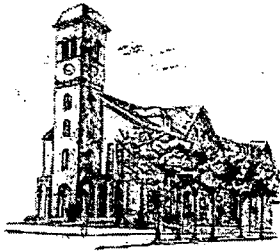
The petition is denied.

FJA

By the Court:

Jud. Curran
J.

FILED / CC
0/3:37/04 Def. w/
MAY 07 2007 Serial letter
William A. Shaw
Prothonotary/Clerk of Courts
GK



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

Jacki Kendrick
Deputy Prothonotary/Clerk of Courts

Bonnie Hudson
Administrative Assistant

David S. Ammerman
Solicitor

PO Box 549, Clearfield, PA 16830 ■ Phone: (814) 765-2641 Ext. 1330 ■ Fax: (814) 765-7659 ■ www.clearfieldco.org

COPY

May 7, 2007

Cathy Keith
114 Oak Lane
State College, PA 16801

RE: 07-702-CD
IFP Petition for DJ Appeal

Dear Ms. Cathy Keith:

Please be advised that your Petition to Proceed In Forma Pauperis in the above case has been denied by the Court.

You may proceed with this action by filing the enclosed DJ Appeal along with the \$85.00 filing fee with this office.

A certified copy of the Court's Order is enclosed. According to the Rules of Civil Procedure, the Prothonotary's Office may strike your filing if payment is not received in full within ten (10) working days from the date of this letter. However, your DJ Appeal must be filed within 30 days from the date of the judgment as shown on your judgment.

Sincerely,

William A. Shaw
Prothonotary/Clerk of Courts

Enclosures

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

46 Judicial District, County Of Clearfield

NOTICE OF APPEAL

FROM

COPY

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No. 07-702-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the Magisterial District Judge on the date and in the case referenced below.

NAME OF APPELLANT <u>Cathy L. Keith</u>	MAG DIST NO <u>46-B-03</u>	NAME OF MDJ <u>Michael A. Ruckelshaus</u>
ADDRESS OF APPELLANT <u>114 Oak Lane</u>	CITY <u>State College</u>	STATE <u>Pa.</u>
DATE OF JUDGMENT <u>4/16/07</u>	IN THE CASE OF (Plaintiff) <u>Raymond Hazel</u>	ZIP CODE <u>16801</u>
DOCKET No. <u>CV-0000455-06</u>	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT <u>Cathy L. Keith</u>	
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.D.J. No. 1008B.</p> <p>This Notice of Appeal, when received by the Magisterial District Judge, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p> <p>Signature of Prothonotary or Deputy</p>		
<p>If appellant was Defendant (see Pa. R.C.P.D.J. No. 1001(6) in action before a Magisterial District Judge, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.</p>		

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.D.J. No. 1001(7) in action before Magisterial District Judge. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

PRAECIPE: To Prothonotary

Enter rule upon Raymond Hazel appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. _____) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Cathy L. Keith
Signature of appellant or attorney or agent

RULE: To Raymond Hazel appellee(s)

Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of the mailing.

Date: 20

Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

46 Judicial District, County Of Clearfield

NOTICE OF APPEAL

FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No. 07-702-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the Magisterial District Judge on the date and in the case referenced below.

NAME OF APPELLANT <u>Cathy L. Keith</u>	MAG. DIST. NO. <u>46-B-03</u>	NAME OF MDJ <u>Michael A. Rudella</u>
ADDRESS OF APPELLANT <u>114 Oak Lane</u>	CITY <u>State College</u>	STATE <u>Pa.</u>
DATE OF JUDGMENT <u>4/16/07</u>	IN THE CASE OF (Plaintiff) <u>Raymond Hazel</u>	ZIP CODE <u>16801</u>
DOCKET No. <u>CV-0000455-06</u>	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT <u>Cathy L. Keith</u>	

This block will be signed ONLY when this notation is required under Pa. R.C.P.D.J. No. 1008B.
This Notice of Appeal, when received by the Magisterial District Judge, will operate as a SUPERSEDEAS to the judgment for possession in this case.

If appellant was Plaintiff (see Pa. R.C.P.D.J. No. 1001(6) in action before a Magisterial District Judge, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.

Signature of Prothonotary or Deputy

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.D.J. No. 1001(7) in action before Magisterial District Judge. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

PRAECIPE: To Prothonotary

Enter rule upon Raymond Hazel appellee(s), to file a complaint in this appeal
Name of appellee(s)

(Common Pleas No. 07-702-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Cathy L. Keith
Signature of appellant or attorney or agent

RULE: To Raymond Hazel, appellee(s)
Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of the mailing.

Date: 5/10/2007

William A. Shaw
Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.

AOPC 312-05

FILED

Def. pd. 85.00

MAY 10 2007

Copies to Piff

Def

mjs Rudella

William A. Shaw
Prothonotary/Clerk of Courts

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing of the notice of appeal. Check applicable boxes.)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____ ; ss

AFFIDAVIT: I hereby (swear) (affirm) that I served

☐ a copy of the Notice of Appeal, Common Pleas No. _____, upon the Magisterial District Judge designated therein on
(date of service) _____, 20_____. ☐ by personal service ☒ by (certified) (registered) mail,
sender's receipt attached hereto, and upon the appellee, (name) _____, on
_____, 20_____ ☐ by personal service ☒ by (certified) (registered) mail,
sender's receipt attached hereto.

(SWORN) (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS _____ DAY OF _____, 20_____

Signature of official before whom affidavit was made

Signature of affiant

Title of official

My commission expires on _____, 20_____

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-03

MDJ Name: Hon.

MICHAEL A. RUDELLA

Address: **131 ROLLING STONE ROAD
PO BOX 210
KYLERTOWN, PA**

Telephone: **(814) 345-6789 16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

NAME and ADDRESS

**HAZEL, RAYMOND III E
225 VALLEY VIEW DR APT/STE F3
CLEARFIELD, PA 16830**

VS.

DEFENDANT:

NAME and ADDRESS

**KEITH, CATHY L, ET AL.
114 OAK LANE
STATE COLLEGE, PA 16801**

**CATHY L. KEITH
114 OAK LANE
STATE COLLEGE, PA 16801**

Docket No.: **CV-0000455-06**

Date Filed: **9/15/06**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **4/16/07**

☒ Judgment was entered for: (Name) **HAZEL, RAYMOND III E**

☒ Judgment was entered against: (Name) **KEITH, CATHY L**
in the amount of \$ **477.50**

☐ Defendants are jointly and severally liable.

☐ Damages will be assessed on Date & Time _____

☐ This case dismissed without prejudice.

☐ Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127
\$ _____

☐ Portion of Judgment for physical damages arising out of
residential lease \$ _____

Amount of Judgment	\$ 420.00
Judgment Costs	\$ 57.50
Interest on Judgment	\$.00
Attorney Fees	\$.00

Total \$ **477.50**

Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
	=====

Certified Judgment Total \$ _____

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

4-16-07 Date **MA Rudella**, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

_____, Date _____, Magisterial District Judge

My commission expires first Monday of January, **2012**

SEAL

AOPC 315-06

DATE PRINTED: 4/24/07 12:09:00 PM

FILED

MAY 10 2007

**William A. Shaw
Prothonotary/Clerk of Courts**

~~**FILED**~~

~~**MAY 03 2007**~~

~~**William A. Shaw
Prothonotary/Clerk of Courts**~~

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

Mag. Dist. No.: **46-3-03**
MDJ Name: Hon.
MICHAEL A. RUDELLA
Address: **131 ROLLING STONE ROAD**
PO BOX 210
KYLERTOWN, PA
Telephone: **(814) 345-6789** **16847-0444**

PLAINTIFF: NAME and ADDRESS
HAZEL, RAYMOND III E
225 VALLEY VIEW DR APT/STE F3
CLEARFIELD, PA 16830

VS.
DEFENDANT: NAME and ADDRESS
KEITH, CATHY L, ET AL.
114 OAK LANE
STATE COLLEGE, PA 16801

Docket No.: **CV-0000455-06**
Date Filed: **9/15/06**



MICHAEL A. RUDELLA
131 ROLLING STONE ROAD
PO BOX 210
KYLERTOWN, PA 16847-0444

THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **4/16/07**

☒ Judgment was entered for: (Name) **HAZEL, RAYMOND III E**

☒ Judgment was entered against: (Name) **KEITH, CATHY L**
in the amount of \$ **477.50**

☐ Defendants are jointly and severally liable.

☐ Damages will be assessed on Date & Time _____

☐ This case dismissed without prejudice.

☐ Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127
\$ _____

☐ Portion of Judgment for physical damages arising out of
residential lease \$ _____

Amount of Judgment	\$ 420.00
Judgment Costs	\$ 57.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 477.50
Post Judgment Credits	\$ —
Post Judgment Costs	\$ —
Certified Judgment Total	\$ 477.50

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FILED *no cc*
11214534
MAY 21 2007

William A. Shaw
Prothonotary/Clerk of Courts

4-16-07 Date *MA Rudella*, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

5/11/07 Date *MA Rudella*, Magisterial District Judge

My commission expires first Monday of January, **2012**

SEAL

07-702-CD

COMPLAINT

IN THE COURT OF COMMON PLEAS CLEARFIELD
COUNTY,
PENNSYLVANIA

Plaintiff/Appellant

Raymond E. Hazel III

VS .

Cathy L. Keith

Defendant/Appellee

FILED

0 10:21 am GK

JUN 05 2007 2 cc to Piff.

William A. Shaw
Prothonotary/Clerk of Courts

(64)

District Justice Appeal CASE NO.

Type of Pleading: **COMPLAINT**

COMPLAINT

NOW, comes the **Plaintiff, Raymond E. Hazel III**
who hereby avers as follows:

1. Raymond E. Hazel III is an adult individual
whose address is 225 Valley View Drive F-3 Clearfield, PA
16830

2. Defendant is Cathy L. Keith, an adult
individual, whose address is 114 Oak Lane State College,
Pennsylvania 16801.

3. On July 30, 2006, at approximately 1:00pm
Cathy Keith wrote a check for the amount of \$300 for work
on a Pontiac Grand Prix in West Decatur, Pa 16878

4. At the date, time and place above referenced,

Ms. Keith was promiseing to pay an additional \$100 for the remainder of the work order.

5. At the date, time and place above referenced, Ms. Keith was observing the work on her car being done.

6. As Mr. Hazel was completing the work on the car, Ms. Keith was writing the check in the amount of \$300. She stated that she would pay an additional \$100 in the presence of other people.

7. On August 3, 2006 Mr. Hazel recieved the check back from the bank stating payments have been stopped.

The stopped payment on the check was called in by Ms. Keith

- a. Ms. Keith called to stop payments on check on the date of August 2, 2006
- b. On August 7, 2006 Mr. Hazel sent Ms. Keith a letter stating that she still owed him money for the work he had done on the vehicle.
- c. Mr. Hazel allowed about 2 months to make payments on the vechile
- d. After some time had gone by Mr. Hazel had filed a complaint with Magistrate Micheal A. Rudella on September 15, 2006
- e. Mr. Hazel and Ms. Keith had several hearings regaurding the civil case
- f. On April 16, 2007 MDJ Micheal A. Rudella, ruled judgement against Ms. Keith in the amount of \$477.50

9. As a direct and proximate result of Ms. Keith's negligence as described herein, Mr. Hazel has sustained damages as follows:

- a. *money owed to him for the work done on the car*
- b. *For the money owed to him for the other costs*

WHEREFORE, Mr. Hazel demands judgment against Ms. Keith in the amount of \$477.50, plus interest, court costs and such other reasonable costs as the court may allow.

X *Ryan/E. Hazel*
Plaintiff

COMPLAINT - VERIFICATION

VERIFICATION

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to Unsworn Falsification to Authorities.

x *Raymond E. Dwyer*

COMPLAINT - NOTICE TO DEFEND

IN THE COURT OF COMMON PLEAS CLEARFIELD
COUNTY,

PENNSYLVANIA

District CASE NO.

Raymond E. Hazel III

Plaintiff/Appellant

vs .

Justice Appeal

Cathy L. Keith

Defendant/Appellee

Type of Pleading: **COMPLAINT**

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defense or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE.
IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR
TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU**



IN THE COURT OF COMMON PLEAS CLEARFIELD
COUNTY,

PENNSYLVANIA

Raymond E. Hazel III

Plaintiff/Appellant

vs .

Cathy L. Keith

Defendant/Appellee

District Justice Appeal CASE NO. 97-123-C.D.

Type of Pleading: **COMPLAINT**

Filed on Behalf of **PLAINTIFF**

Plaintiff's address: 225 VALley View Drive Apt.
F#3 Clearfield, PA 16830 (814)768-9653

IN THE COURT OF COMMON PLEAS CLEARFIELD
COUNTY,

PENNSYLVANIA

Raymond E. Hazel

Plaintiff/Appellant

vs.

Cathy L. Keith

Defendant/Appellee

District Justice Appeal CASE NO.

CERTIFICATE OF SERVICE

I, **Raymond E. Hazel,**

Plaintiff above named, do hereby certify that on
the 7

day of **August** 200_6, I served a certified copy
of the Complaint on the Defendant above named, by
delivering certified copy to the Defendant

714 Oak Lane State College Pa 16801

X *Raymond E. Hazel* III

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA-CIVIL DIVISION

Raymond E. Hazel,
Plaintiff

vs.

Cathy L. Keith,
Defendant

*
*
* NO.: 07-702
*
* Type of Case: Civil
*
* Type of Pleading: Answer and New
* Matter
*
*
* Filed on Behalf of: Cathy L. Keith
*
* Counsel of Record for this Party:
* Robin Jean Foor, Esquire
*
* Supreme Court No.: 41520
*
* MidPenn Legal Services
* 211 East Locust Street
* Clearfield, PA 16839
* (814)765-9646

FILED

0/12:15 cm
JUN 25 2007

3cc Atty
Foor

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

RAYMOND E. HAZEL,
PLAINTIFF

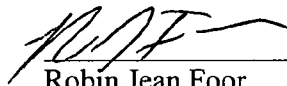
VS.

CATHY L. KEITH
DEFENDANT

:
:
:
: NO. 07-702-CD
:
:
:

TO: Raymond E. Hazel

You are hereby notified to file a written response to the enclosed New Matter within twenty (20) days from service hereof or a judgment may be entered against you.



Robin Jean Foor
Attorney for Cathy L. Keith

IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

RAYMOND E. HAZEL,	:
PLAINTIFF	:
	:
VS.	: NO. 07-702-CD
	:
CATHY L. KEITH	:
DEFENDANT	:

ANSWER

Defendant, Cathy L. Keith, by and through her attorneys, Robin Jean Foor,
Esquire and MidPenn Legal Services, answers as follows:

1. Admitted.
2. Admitted.
3. Admitted
4. Denied. Ms. Keith did not promise to make any payment.
5. Denied. Ms. Keith is not and was never the owner of the vehicle that was
repaired. The vehicle is owned by David Wooster.
6. Denied. Ms. Keith did not promise to make additional payment.
7. Ms. Keith has no knowledge of when Mr. Hazel received the stopped payment,
but admits that she did stop payment on the check.
8. Admitted.
9. This a conclusion of law and requires no answer.

NEW MATTER

10. The vehicle repaired by Mr. Hazel is owned by David C. Wooster. A copy of
the Temporary Registration is attached as Exhibit A.
11. Ms. Keith did not authorize the repairs made on the vehicle.

12. Ms. Keith did tender a check to Mr. Hazel, her intent was to make a gift to Mr. Wooster.

13. Shortly, thereafter Ms. Keith was hospitalized.

14. Upon being released, Ms. Keith discovered that Mr. Wooster had used her credit card and checking account without her permission.

15. Therefore there were not sufficient funds in the account to cover the check.

16. Ms. Keith stopped payment to revoke the gift to Mr. Wooster.

17. Mr. Hazel was aware that the vehicle is owned by Mr. Wooster.

18. Ms. Keith believes and therefore alleges that Mr. Wooster contracted with Mr. Hazel for the repairs.

19. The 1995 Pontiac is in Mr. Hazel's possession.

20. No contract existed between Ms. Keith and Mr. Hazel.

WHEREFORE, Ms. Keith requests judgment for her and against the plaintiff.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'R. Jean Foor', with a stylized flourish at the end.

Robin Jean Foor
Attorney for Cathy Keith

EXHIBIT A

6241589 SDN

-4ST (5-00)

		1. TAX/FEES		1ST ASSIGNMENT		2nd ASSIGNMENT	
A. VEHICLE PURCHASED	PA TITLE NUMBER (AS SHOWN ON ATTACHED TITLE)	MAKE OF VEHICLE	MODEL YEAR	PURCHASE PRICE (See note on reverse)			
	4929696206	Pontiac	95	250.00			
B. SELLER	VEHICLE IDENTIFICATION NUMBER	CONDITION		LESS TRADE-IN			
	1G2WLS2X8SF204726	<input type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> POOR					
C. 1ST PURCHASER	LAST NAME (OR FULL BUSINESS NAME)	FIRST NAME	MIDDLE INITIAL	TAXABLE AMOUNT			
	Shaffner	Calvin	J.	250.00			
D. 2ND PURCHASER	CO-SELLER			1. Sales Tax Due x 6% (.06) or x 7% (.07) (See note on reverse)			
				15.00			
E. VEHICLE TRADED	LAST NAME (OR FULL BUSINESS NAME)	FIRST NAME	MIDDLE INITIAL	1A Exemption Reason Code (must be a number from 1 to 23 or 0)			
	Wooster	David	C.				
F. APPLICATION FOR REGISTRATION	DATE ACQUIRED/ PURCHASED			1B First Assignment		1B Second Assignment	
	7-19-06						
G. CERTIFICATION	STREET	CITY	STATE	ZIP CODE	2. Title Fee		
	136 LARKSPUR LANE	State College	PA	16803	22.50		
H. ADDITIONAL TITLE INFORMATION	COUNTY CODE				3. Lien Fee		
	14						
I. MESSANGER NUMBER	REFER TO COUNTY CODES LISTING ON REVERSE SIDE OF PINK COPY				4. Registration or Processing Fee		
J. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	LAST NAME (OR FULL BUSINESS NAME)	FIRST NAME	MIDDLE INITIAL	DATE ACQUIRED/ PURCHASED	4. Registration or Processing Fee		
K. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	CO-PURCHASER				Fee Exempt Number as assigned by the Bureau		
L. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	STREET	CITY	STATE	ZIP CODE	5. Duplicate Reg. Fee No. of Cards		
M. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	MAKE OF VEHICLE	VEHICLE IDENTIFICATION NUMBER			6. Transfer Fee		
N. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	MODEL YEAR	BODY TYPE (CP, TK, ETC.)	CONDITION		7. Increase Fee		
			<input type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> POOR				
O. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	ORIGINAL PLATE <input checked="" type="checkbox"/> Check One	<input type="checkbox"/> TRANSFER OF PREVIOUSLY ISSUED PLATE			8. Replacement Fee		
	<input type="checkbox"/> PLATE TO BE ISSUED BY BUREAU (PROOF OF INSURANCE MUST BE ATTACHED.)	<input type="checkbox"/> TRANSFER & RENEWAL OF PLATE					
P. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	<input type="checkbox"/> EXCHANGE PLATE TO BE ISSUED BY BUREAU	<input type="checkbox"/> TRANSFER & REPLACEMENT OF PLATE			9. TOTAL PAID (Add 1 thru 8)		
	<input type="checkbox"/> TEMPORARY PLATE ISSUED BY FULL AGENT	<input type="checkbox"/> TRANSFER OF PLATE & REPLACEMENT OF STICKER			37.50		
Q. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	PLATE NO.	REASON FOR REPLACEMENT			11. GRAND TOTAL (Add 9 & 10)		
	EXPIRES Month Year	<input type="checkbox"/> LOST <input type="checkbox"/> DEFACED <input type="checkbox"/> STOLEN			37.50		
R. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	TRANSFERRED FROM TITLE NO.	VIN			Send One Check in This Amount		
	SIGNATURE OF PERSON FROM WHOM PLATE IS BEING TRANSFERRED (IF OTHER THAN APPLICANT)	SIGN HERE					
S. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	TEMP. PLATE NO.	RELATIONSHIP TO APPLICANT					
T. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	VEHICLE PURCHASED WEIGHT INFO (IF APPLICABLE)	GVWR	UNLADEN WEIGHT	REQ. REG. GROSS WT. INCLUDING LOAD	REQ. REG. GROSS COMB. WT. (IF APPLICABLE)		
U. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	INSURANCE COMPANY NAME	POLICY NO. (OF ATTACH BINDEF.)			POLICY EFFECTIVE DATE	POLICY EXPIRATION DATE	
V. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	ISSUING AGENT INFORMATION	I CERTIFY THAT ON MONTH DAY YEAR I HAVE CHECKED TO DETERMINE THAT THE VEHICLE IS INSURED, AND ISSUED TEMPORARY REGISTRATION TO THE ABOVE APPLICANT, IN COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THE VEHICLE CODE AND DEPARTMENT REGULATIONS.					
W. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	ISSUING AGENT (PRINT NAME)	ISSUING AGENT SIGNATURE					
	McDonnell's Agency						
X. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	AGENT NO.	TELEPHONE NO.					
	83-4988	215-857249					
Y. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	Signature of First Purchaser or Authorized Signer	TELEPHONE NUMBER					
	Signature of Co-Purchaser/Title of Authorized Signer	814-280-1430					
Z. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	Signature of Second Purchaser or Authorized Signer	TELEPHONE NUMBER					
	Signature of Co-Purchaser/Title of Authorized Signer	()					
AA. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	Signature of Seller						
	Signature of Co-Seller						
AB. APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)	NOTE: If a co-purchaser other than your spouse is listed and you want the title to be listed as "Joint Tenants With Right of Survivorship" (On death of one owner, title goes to surviving owner.) CHECK HERE <input type="checkbox"/> . Otherwise, the title will be issued as "Tenants in Common" (On death of one owner, interest of deceased owner goes to his/her heirs or estate).						
	NOTE: IF THE VEHICLE IS TO BE USED AS A DAILY RENTAL OR LEASED VEHICLE, CHECK THIS BLOCK <input type="checkbox"/> . IF BLOCK IS CHECKED, COMPLETE AND ATTACH FORM MV-11.						

If your registration documents are not received within 90 days, please contact PennDOT

MESSANGER NUMBER:

APPLICANT'S COPY/TEMPORARY REGISTRATION (VALID FOR 90 DAYS)

VERIFICATION

I, Cathy Keith, verify that the statements in the foregoing Answer and New Matter are true and correct. I understand that false statements that are made herein are made subject to penalties of 18 Pa.C.S. 4904 relating to unsworn falsification to authorities.

6/22/2007
Date

Cathy Keith
Cathy Keith

IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

RAYMOND E. HAZEL,
PLAINTIFF

VS.

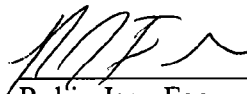
CATHY L. KEITH
DEFENDANT

:
:
:
: NO. 07-702-CD
:
:
:

CERTIFICATE OF SERVICE

I, Robin Jean Foor, Esquire, hereby certify that on the 25th day of June, 2007, I
served a copy of the Answer and New Matter filed in that above captioned matter to the
following individual by first class mail, postage prepaid:

Raymond E. Hazel
225 Valley View Drive, F-3
Clearfield, PA 16830



Robin Jean Foor
PA ID # 41520
MidPenn Legal Services Inc.
211 East Locust Street
Clearfield, PA 16803
(814)765-9646

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA- CIVIL DIVISION

Raymond E. Hazel III,

Plaintiff

vs.

Cathy L. Keith,
Defendant

*

NO.: 07-702

*

Type of Case: Civil

*

Type of Pleading:
Reply to New Matter

FILED *icc Piff.*
0/11:35 am (S)
JUL 10 2007

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL DIVISION

RAYMOND E. HAZEL,
PLAINTIFF

:

VS.

: NO. 07-702- CD

CATHY L. KEITH,
DEFENDANT

:

REPLY TO NEW MATTER

Plaintiff, Raymond E. Hazel, answers new matters addressed as follows:

Paragraph 10 of the New Matter is admitted.

Paragraph 11 of the New Matter is denied. Ms. Keith was aware of the work being performed of the work being done on Mr. Wooster's car and observed it being done.

Paragraph 12 of the New Matter is admitted. Ms. Keith did tender a check to Mr. Hazel. Denied. Ms. Keith was in a relationship with Mr. Wooster at the time. The check was for the work on the vehicle that Mr. Hazel serviced. The memo on the check states it was for Mr. Wooster's motor for the vehicle. A copy of the stopped check is attached as Exhibit A.

Paragraph 13 of New Matter is admitted and denied. Ms. Keith was hospitalized one day or two before the repairs were completed. on Mr. Wooster's vehicle.

Paragraph 14 of the New Matter is denied. Ms. Keith was observed by witnesses giving Mr. Wooster her credit card to purchase parts for the vehicle. Ms. Keith was aware her credit card was in his possession. This is a matter between Mr. Wooster and Ms. Keith. A copy of the letter Ms. Keith had written regarding this matter is attached as Exhibit B.

Paragraph 15 of the New Matter is denied. Ms. Keith was aware that her checking account did not contain the sufficient funds to cover the check she had written to Mr. Hazel.

Paragraph 16 of the New Matter is Admitted. Denied. Mr. Hazel was unaware of Ms. Keith's intentions to stop payment on the check.

Paragraph 17 of the New Matter is Admitted. However, Ms. Keith had taken Mr. Wooster's registration and motor receipt from his car without his permission from Mr. Wooster or Mr. Hazel. A copy of these items are attached as Exhibit C and Exhibit D.

Paragraph 18 of the New Matter is Admitted. Denied. Ms. Keith offered to pay for the work done on Mr. Wooster's vehicle because at the said time Mr. Wooster did not have the money to so.

Paragraph 19 of the New Matter is Admitted.

Paragraph 20 of the New Matter is Admitted. Denied, Mr. Hazel spoke to Ms. Keith on the phone after sending her a certified letter regarding the situation. This occurred in the month of August 2006. A copy of the letter and the receipt is attached as Exhibit E and Exhibit F and Exhibit G.

EXHIBIT A

EXHIBIT B



401 Science Park Road
State College, PA 16804

Phone: 1-800-322-9725
FAX: 814-231-2648

12:00 noon Aug. 3, 2006
I Cathy L. Keith am pressing
Charge's against David C. Woods
for using my Macy's Visa Card
Acct. no. 4019-8113-3078 7627
without my knowledge while
I was in the Meadows.
Then he tried use it after
I put a stop on it to.
I called after they called
me on my cell phone that
there where alot of Charge's on
my Card on July 6, 2006.

Sincerely
Cathy L. Keith

EXHIBIT C

15-001

If your registration documents are not received within 90 days, please contact PennDOT

MESSANGER NUMBER:

EXHIBIT D

CUSTOMER'S COPY

126726



CHAPMAN AUTO PARTS & SALES, INC.

RICHARD T. CHERICO - OWNER
(LATE MODEL CAR & TRUCK PARTS)
RD 1 BOX 94 DUBOIS, PENNSYLVANIA 15801
(814) 583-5128 (800) 543-4398
20% Handling Charge On All Returned Parts
TERMS: NET CASH - NO DISCOUNT



REFERENCE #	DATE
01126726	7/24/06 3:00pm
P.O. #	CUSTOMER #
	1

*****CASH*****

SHIP TO

AN IF-1 CASH TYPE OF SALE COUNTER SALE TAX CODE SHIP VIA Page 1

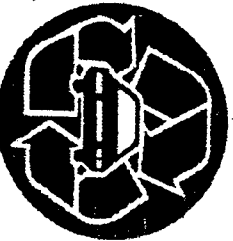
1 3.4 EXCHANGE

STK#NUP

UNIT PRICE EXTENSION

500.00

500.00



BUY SMART - BUY USED

BUYING CHARGE

IMPORTANT - PLEASE READ BELOW:

These parts are sold by dealer and accepted by Buyer in "AS IS" condition without any warranty either expressed or implied. The Buyer has the right to return the DEFECTIVE MOTOR, TRANSMISSION, and REAR END parts up to the (thirtieth (30th) business day and ALL OTHER PARTS on the fourth (4th) business day following the date of this sale for a refund/exchange. After such time, the Buyer shall assume the entire expense of repairing or correcting any defects that may presently exist or hereafter occur with respect to these parts. A right to return for or exchange of these parts. OTHER WARRANTIES, either expressed or implied, and no implied warranty of merchantability or of fitness for a particular purpose. It will not be responsible for nor reimburse the cost of any labor for installation of these parts nor for any expenses incurred by Buyer with its parts.

TAX PA PA	30.00
TOTAL	530.00

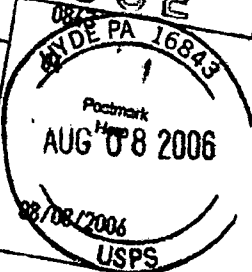
EXHIBIT E

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

OFFICIAL USE

Postage	\$ 40.39
Certified Fee	\$2.40
Return Receipt Fee (Endorsement Required)	\$1.85
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.64



Sent to
Cathy L. Keith
Street Apt. No. or PO Box No. **714 Oak Lane**
City, State, ZIP+4[®] **State College, PA 16801**
PS Form 3800, June 2002
See Reverse for Instructions

EXHIBIT F

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Cathy L. Keith
714 Oak Lane
State College, PA
16801

COMPLETE THIS SECTION ON DELIVERY

A. Signature *Cathy L. Keith* ☐ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail

☐ Express Mail

☒ Return Receipt for Merchandise

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number
(Transfer from service label)

7006 0100 0003 5340 5394

102595-02-M-1840

PS Form 3811, February 2004

Domestic Return Receipt

EXHIBIT G

Monday, August 07,

2006

Cathy I Keith,

I would like to know why you stopped the payments on the check.

You still owe me \$ 300.00 plus what I had in the bank plus the cost of this letter to be sent to you.

If you take care of it you will not have to go to court for the mess you got me into, but if you don't you will go to court and I know you do not need that.

I am trying to be nice about this."

Sincerely,

Raymond

Hazel

IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

RAYMOND E. HAZEL,
PLAINTIFF

:
:

VS.

Case No. 07-702-CD

CATHY L. KEITH
DEFENDANT

CERTIFICATE OF SERVICE

I, Raymond E. Hazel, hereby certify that on the 9th day of July , 2007,I
served a copy of the Reply to New Matter filed in that above captioned matter to the
following individual by first class mail, postage prepaid:

Cathy L. Keith

714 Oak Lane

State College, PA 16801



Raymond E. Hazel

225 Valley View Drive F-3

Clearfield, PA 16830

(814) 768- 9653

VERIFICATION

I, Raymond E. Hazel, verify that the statements in the Reply to New Matter are true and correct. I understand that false statements are made herein are made subject to the penalties of Pa. C.S. Section 4904 relating to Unsworn Falsification to Authorities.

7-9-07
Date

x *Raymond E. Hazel*
Raymond E. Hazel

VERIFICATION

I, Raymond E. Hazel, verify that the statements in the
Reply to New Matter are true and correct. I understand
that false statements are made herein are made subject
to the penalties of Pa. C.S. Section 4904 relating to
Unsworn Falsification to Authorities.

Raymond E. Hazel X
Attorney

7-10-07
Date

FILED

JUL 10 2007

William A. Shaw
Prothonotary, Clerk of Courts